

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FRANCE TELECOM S.A.,

Plaintiff,

v.

MARVELL SEMICONDUCTOR INC.,

Defendant.

Case No. [12-cv-04967-WHO](#)

**ORDER SETTING BRIEFING
SCHEDULE ON FRANCE TELECOM'S
REQUEST TO AMEND EXPERT
DISCLOSURES AND REFERRING
CASE TO MAGISTRATE JUDGE
CORLEY FOR SETTLEMENT**

Re: Dkt. No. 152

At the Case Management Conference on April 9, 2014, the parties discussed France Telecom's desire to supplement its expert disclosures under Rule 26(e). France Telecom described the amendment as a relatively minor one, consistent both with its initial disclosures and Patent Local Rule 3-6, since I did not adopt its proposed construction for a particular term. Marvell argued that it would be prejudiced by the amendment and that France Telecom is attempting to fix a deficient report after the deadline to do so.

I will benefit from briefing on this issue. The parties may file a 10-page double-spaced brief on this topic on April 17, 2014, and a three-page reply on April 22, 2014. Any exhibits or attachments shall not exceed five pages, but any unused briefing pages may be used for exhibits or attachments. France Telecom is directed to file the original expert disclosure that it wants to supplement with its initial brief, as well as the proposed amended expert disclosure with proposed changes highlighted; this will not count against its page limit. In their opening briefs the parties shall address whether and to what extent discovery would need to be reopened, or how the case management schedule would need to be adjusted, if I allow the amendment.

I also refer this matter to Magistrate Judge Corley for settlement purposes. The settlement conference should occur sufficiently in advance of the Pretrial Conference on August 26, 2014, to

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

allow the parties to avoid the significant work required to prepare this matter for trial in the event that resolution can be reached.

IT IS SO ORDERED.

Dated: April 10, 2014



WILLIAM H. ORRICK
United States District Judge